

1 MICHAEL N. FEUER, City Attorney, SBN 111529  
2 MARY CLARE MOLIDOR, Chief, Criminal & Special Lit. Branch, SBN 82404  
3 JONATHAN CRISTALL, Superv. Assistant City Attorney, SBN 191935  
4 NANCY C. HAGAN, Deputy City Attorney, SBN 273981  
5 Office of the Los Angeles City Attorney  
6 200 North Main Street, Room 966  
7 Los Angeles, California 90012  
8 Telephone: (213) 978-4090  
9 Fax: (213) 978-8717  
10 E-Mail: nancy.hagan@lacity.org  
11 Attorneys for Plaintiff

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Superior Court Of California  
County Of Los Angeles

MAY 04 2017

Sherri R. Carter, Executive Officer/Clerk  
By: Charlie L. Coleman, Deputy

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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF LOS ANGELES, CENTRAL DISTRICT

11 THE PEOPLE OF THE STATE OF CALIFORNIA,  
12 Plaintiff,

13 vs.

14 MARKUS HUMMEL and CYNTHIA BAKER, as  
15 trustees of the HUMMEL & BAKER LIVING TRUST  
16 DATED DECEMBER 15, 2015; and DOES 1  
17 through 50, inclusive,  
18 Defendants.

Case No.: **BC 6 6 0 0 8 7**

**COMPLAINT FOR ABATEMENT  
AND INJUNCTION**

[HEALTH & SAFETY CODE  
SECTION 11570, ET SEQ.; CIVIL  
CODE SECTION 3479, ET SEQ.;  
BUS. & PROF. CODE SECTION  
17200, ET SEQ.]

[Unlimited Action]

1 PLAINTIFF, THE PEOPLE OF THE STATE OF CALIFORNIA, alleges as follows:

2 I. INTRODUCTION

3 1. This action ("Action") is brought and prosecuted by Plaintiff, the People of the  
4 State of California ("People"), for the purpose of abating, preventing, and enjoining a narcotics-  
5 and gang-related public nuisance that exists at a two-level, approximately 10-unit apartment  
6 complex located in South Los Angeles with an address commonly known as 6831 11th  
7 Avenue, Los Angeles, CA 90043 (the "Property"). The Action is brought pursuant to the  
8 Narcotics Abatement Law ("NAL"), California Health and Safety Code section 11570, *et seq.*;  
9 the Public Nuisance Law ("PNL"), California Civil Code sections 3479-3480; and the Unfair  
10 Competition Law ("UCL"), California Business and Professions Code section 17200, *et seq.*

11 2. For at least the past seven years, the Property has been, and currently is, a  
12 stronghold for the Rollin' 60s criminal street gang (the "Gang"), whose members and  
13 associates use the Property to sell and use narcotics; store and/or conceal unlawfully  
14 possessed firearms; and loiter in large groups, many of whom are armed, in front of the  
15 Property as well as in its driveway and rear parking lot. Not surprisingly, the Property is a  
16 bullet magnet, as evidenced by two documented shootings in just the past year, as well as a  
17 murder in 2014. Since 2010, the Los Angeles Police Department ("LAPD") has made at least  
18 18 arrests and recovered at least six firearms at or connected to the Property. The Gang's  
19 presence on the Property not only endangers and intimidates members of the surrounding  
20 community, but it is also an immense drain on LAPD's resources.

21 3. The violence and chaos at the Property occurs perilously close to one high  
22 school and three houses of worship, all of which are located within 1,000 feet of the Property.

23 4. The ownership of the Property has changed several times in the past five years  
24 but it is currently owned by Markus Hummel and Cynthia Baker, as trustees of the Hummel &  
25 Baker Living Trust Dated December 15, 2015 ("Defendants"). In 2015, prior to Defendants  
26 owning the Property, the Los Angeles City Attorney's Office attempted to meet with the then  
27 owners to discuss the criminal activity at the Property, only to be rebuffed due to an impending  
28 sale. Since then, the ownership has changed twice and Defendants have now owned the

1 Property for approximately one year. To date, they have failed to take the necessary steps –  
2 as required by the statutes discussed in further detail below – to abate the nuisance at the  
3 Property, which has dangerously continued without interruption during their ownership. (See  
4 Cal. Civ. Code § 3483 (“Every successive owner of property who neglects to abate a  
5 continuing nuisance upon, or in the use of, such property, created by a former owner, is liable  
6 therefor in the same manner as the one who first created it.”).) This Action is necessary to  
7 stop the cycle of disengaged ownership and to require that the Defendants, and any  
8 subsequent owner of the Property, play a far more robust, involved, and committed role than  
9 they and the prior owners have to date.

## 10 **II. THE PARTIES AND THE PROPERTY**

### 11 **A. The Plaintiff**

12 5. Plaintiff, the People, is the sovereign power of the State of California designated  
13 in California Health and Safety Code section 11571 and California Code of Civil Procedure  
14 section 731 to be the complaining party in actions brought to abate, enjoin, and penalize  
15 narcotics nuisances and public nuisances, respectively. Furthermore, the City of Los Angeles  
16 has a population in excess of 750,000, and as such, California Business and Professions Code  
17 section 17204 authorizes Plaintiff, the People, to prosecute actions for relief under California  
18 Business and Professions Code section 17200, *et seq.* for unlawful competition.

### 19 **B. The Defendants**

20 6. Defendants – Markus Hummel and Cynthia Baker, trustees of the Hummel &  
21 Baker Living Trust Dated December 15, 2015 – have been the record owners of the Property  
22 since at least May 13, 2016.

23 7. The true names and capacities of defendants sued herein as Does 1 through 50,  
24 inclusive, are unknown to Plaintiff, who therefore sues said defendants by such fictitious  
25 names. When the true names and capacities of said defendants have been ascertained,  
26 Plaintiff will seek leave of Court to amend this complaint and to insert in lieu of such fictitious  
27 names the true names and capacities of said fictitiously named defendants.

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1           **C.     The Property**

2           8.     The Property's legal description is "Lot 599 Hyde Park, in the City of Los  
3 Angeles, County of Los Angeles, State of California as per map recorded in Book 14, Page(s)  
4 21, Miscellaneous Records in the Office of the County Recorder of Said County" with  
5 Assessor's Parcel Number 4006-025-024.

6                           **III.     THE NARCOTICS ABATEMENT LAW**

7           9.     The abatement of a nuisance is a long established and well-recognized exercise  
8 of the state's police power. (*People v. Barbieri* (1917) 33 Cal.App. 770, 775; *People ex rel.*  
9 *Hicks v. Sarong Gals* (1974) 42 Cal.App.3d 556, 563.) Since its enactment in 1972, the  
10 principal purpose of the NAL (Health & Saf. Code, § 11570, *et seq.*) is the abatement of  
11 buildings and places "used for the purpose of unlawfully selling, serving, storing, keeping,  
12 manufacturing, or giving away any controlled substance, precursor, or analog specified in this  
13 division . . . ." (Health & Saf. Code, § 11570).

14          10.    The NAL provides that every building or place used for the purpose of unlawfully  
15 selling, serving, storing, keeping, manufacturing, or giving away any controlled substance,  
16 precursor, or analog, *inter alia*, "is a nuisance which **shall** be enjoined, abated, and prevented  
17 . . . whether it is a public or private nuisance." (Health & Saf. Code, § 11570 (emphasis added);  
18 *People ex rel Lungren v. Peron* (1997) 59 Cal.App.4th 1383, 1389; *Lew v. Superior Court*  
19 (1993) 20 Cal.App.4th 866, 870-871.)

20          11.    Health and Safety Code section 11571 authorizes a city attorney to bring an  
21 action to abate, prevent and perpetually enjoin such nuisances. It provides in relevant part:  
22 "Whenever there is reason to believe that a nuisance as described in Section 11570 is kept,  
23 maintained, or exists in any county, the district attorney of the county, or the city attorney of  
24 any incorporated city or of any city and county, in the name of the people, may . . . maintain an  
25 action to abate and prevent the nuisance and perpetually to enjoin the person conducting or  
26 maintaining it, and the owner, lessee, or agent of the building or place in or upon which the  
27 nuisance exists from directly or indirectly maintaining or permitting the nuisance."

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1           12. Health and Safety Code section 11573(a) provides that: "If the existence of the  
2 nuisance is shown in the action to the satisfaction of the court or judge, either by verified  
3 complaint or affidavit, the court or judge **shall** allow a temporary restraining order or injunction  
4 to abate and prevent the continuance or recurrence of the nuisance." (Emphasis added.) In  
5 addition, Health and Safety Code section 11581 provides, as an additional remedy, for the  
6 removal and sale of all fixtures and movable property on the premises used in aiding or  
7 abetting the nuisance and for the closure of the building for up to one year.

8                                   **IV.    THE PUBLIC NUISANCE LAW**

9           13. Civil Code section 3479 defines a public nuisance as "[a]nything which is  
10 injurious to health, including, but not limited to, the illegal sale of controlled substances, or is  
11 indecent or offensive to the senses, or an obstruction to the free use of property, so as to  
12 interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free  
13 passage or use, in the customary manner, of any . . . public park, square, street, or highway . .  
14 . ." (See *City of Bakersfield v. Miller* (1966) 64 Cal.2d 93, 99 ("The Legislature has defined in  
15 general terms the word 'nuisance' in Civil Code section 3479. . .").)

16           14. Civil Code section 3480 defines a public nuisance as "one which affects at the  
17 same time an entire community or neighborhood, or any considerable number of persons,  
18 although the extent of the annoyance or damage inflicted upon individuals may be unequal."

19           15. In particular, gang activity, such as drug dealing, loitering, consumption of alcohol  
20 and illegal drugs, and boisterous conduct which creates a "hooligan-like atmosphere"  
21 constitutes a public nuisance. (*People ex rel. Gallo v. Acuna* (1997) 14 Cal.4th 1090, 1120.)

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1           16. Civil Code section 3491 provides for the methods by which public nuisances  
2 such as those alleged herein may be abated. Civil Code section 3491 states that the  
3 "remedies against a public nuisance are indictment or information, a civil action or abatement."  
4 Abatement is "accomplished by a court of equity by means of an injunction proper and suitable  
5 to the facts of each case." (*Sullivan v. Royer* (1887) 72 Cal. 248, 249; see also *People v.*  
6 *Selby Smelting and Lead Co.* (1912) 163 Cal.84, 90 ("[I]n California, the rule is well established  
7 that in proper cases injunctive relief which accomplishes the purposes of abatement without its  
8 harsh features is permissible.").)

9           17. Code of Civil Procedure section 731 authorizes a city attorney to bring an action  
10 to enjoin or abate a public nuisance. It provides in relevant part "[a] civil action may be brought  
11 in the name of the people of the State of California to abate a public nuisance . . . by the city  
12 attorney of any town or city in which such nuisance exists."

13           18. Where "a building or other property is so used as to make it a nuisance under the  
14 statute, the nuisance may be abated . . . , notwithstanding that the owner had no knowledge  
15 that it was used for the unlawful purpose constituting a nuisance." (*People ex rel. Bradford v.*  
16 *Barbiere* (1917) 33 Cal.App. 770, 779; see also *Sturges v. Charles L. Harney, Inc.* (1958) 165  
17 Cal.App.2d 306, 318 ("a nuisance and liability therefore may exist without negligence"); *People*  
18 *v. McCadden* (1920) 48 Cal.App. 790, 792 ("A judgment supported on findings that such  
19 nuisance was conducted and maintained on the premises in question, regardless of the  
20 knowledge of the owner thereof, is sufficient. Such knowledge on the part of the owner . . . is  
21 unnecessary."); *People v. Peterson* (1920) 45 Cal.App. 457, 460 ("[I]t was not necessary . . .  
22 for the trial court to find either, that the [defendants] threatened, and unless restrained, would  
23 continue to maintain, aid, and abet, the nuisance, or that they knew the building was used in  
24 violation of the act. . . . The existence of the nuisance was the ultimate fact in this case, and  
25 having been found, supports the judgment.").) This is because "the object of the act is not to  
26 punish; its purpose is to effect a reformation of the property itself." (*People v. Bayside Land*  
27 *Co.* (1920) 48 Cal.App. 257, 261.)

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V. UNFAIR COMPETITION LAW

19. The practices forbidden by California's Unfair Competition Law at Business and Professions Code section 17200 *et seq.* include any practices forbidden by law, be they criminal, federal, state, municipal, statutory, regulatory or court-made. As the California Supreme Court has explained, the UCL "borrows violations of other laws and treats them as unlawful practices independently actionable under section 17200 *et seq.*" (*South Bay Chevrolet v. General Motors Acceptance Corp.* (1999) 72 Cal.App.4th 861, 880 (internal citations and quotation marks omitted).)

20. As proscribed by the UCL, "[a]n 'unlawful business activity' includes anything that can properly be called a business practice and that at the same time is forbidden by law." (*People v. McKale* (1979) 25 Cal.3d 626, 632.) Moreover, the UCL casts a broad net. "Any person performing or proposing to perform an act of unfair competition may be enjoined . . . ." (Bus. & Prof. Code, § 17203.) The term "person" includes "natural persons, corporations, firms, partnerships, joint stock companies, associations and other organizations of persons." (Bus. & Prof. Code, § 17201.) The courts have expanded section 17200's net beyond direct liability to include common law doctrines of secondary liability where the liability of each defendant is predicated on his or her personal participation in the unlawful practices. (*People v. Toomey* (1985) 157 Cal.App.3d 1, 14; *Emery v. Visa Int'l Service Ass'n* (2002) 95 Cal.App.4th 952, 960.)

21. Civil actions under the UCL may be brought in the name of the People of the State of California by any city attorney of a city having a population in excess of 750,000 (Bus. & Prof. Code, § 17204), such as the City of Los Angeles. A public entity can sue pursuant to section 17200 based on violations of its own municipal code, state law, or other local ordinance. (*People v. Thomas Shelton Powers, M.D., Inc.* (1992) 2 Cal.App.4th 330, 338-339.)

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1           22. Defendants engaging in violations of the UCL may be enjoined in any court of  
2 competent jurisdiction. (Bus. & Profs. Code, § 17203.) A court may make such orders or  
3 judgments, including appointment of a receiver, as may be necessary to prevent the use or  
4 employment by any person of any practice constituting unfair competition. (*Id.*)

5           23. Although no case has specifically been called upon to define the term "business"  
6 in section 17200, courts have frequently given a broad reading to the provisions of the UCL so  
7 as to effect its broad remedial purposes. (See, e.g., *Barquis v. Merchants Collection Ass'n*  
8 (1972) 7 Cal.3d 94, 111-113.) An enterprise engaged entirely in criminal conduct such as the  
9 manufacture of illegal drugs or obscene matter is a business for purposes of section 17200.  
10 (*People v. EWAP, Inc.* (1980) 106 Cal.App.3d 315, 320-321.) Moreover, recent amendments  
11 to section 17200 make clear that even a one-time act of misconduct can constitute a violation  
12 of the UCL. (*Klein v. Earth Elements, Inc.* (1997) 59 Cal.App.4th 965, 969.)

13           24. Further, the ownership and operation of a rental apartment complex is,  
14 axiomatically, a business. (See *People ex rel. City of Santa Monica v. Gabriel* (2010), 186  
15 Cal.App.4th 882, 888 ("The renting of residential housing is a business."); see also *Barquis v.*  
16 *Merchants Collection Ass'n*, (1972) 7 Cal.3d 94, 111-113 (giving a broad meaning of the UCL  
17 so as to effect its broad remedial purposes).) Thus, when a property owner conducts,  
18 maintains or permits a nuisance that is unlawful under the NAL and/or PNL to exist on the  
19 premises of such a business, it is a violation of the UCL. (See *San Francisco v. Sainez* (2000)  
20 77 Cal.App.4th 1302, 1323.)

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1                   **VI.    FIRST CAUSE OF ACTION FOR NARCOTICS ABATEMENT**

2                               **[Health and Safety Code Section 11570, *et seq.* --**

3                                       **Against All Defendants and DOES 1 through 50]**

4           25.    Plaintiff hereby incorporates by reference paragraphs 1 through 24 of this  
5 Complaint and makes them part of the First Cause of Action, as if fully set forth herein.

6           26.    The Property has been from an exact date unknown but since at least 2011, and  
7 is currently being used for the purposes of unlawfully selling, serving, storing, keeping,  
8 manufacturing or giving away controlled substances in violation of Health and Safety Code  
9 section 11570, *et seq.*

10          27.    Defendants, and DOES 1 through 50, are responsible for conducting,  
11 maintaining, and/or directly or indirectly permitting the nuisance as alleged herein. Plaintiff has  
12 no plain, speedy and adequate remedy at law, and unless Defendants and DOES 1 through 50  
13 are restrained and enjoined by order of this Court, they will continue to use, occupy and  
14 maintain, and/or to aid, abet or permit, directly or indirectly, the use, occupation and  
15 maintenance of the Property, together with the fixtures and appurtenances located therein, for  
16 the nuisance complained of herein, to the great and irreparable damage of the public and in  
17 violation of California law.

18                   **VII.   SECOND CAUSE OF ACTION FOR PUBLIC NUISANCE**

19                               **[Civil Code Section 3479, *et seq.* --**

20                                       **Against All Defendants and DOES 1 through 50]**

21          28.    Plaintiff incorporates by reference Paragraphs 1 through 27 of this Complaint and  
22 makes them part of this Second Cause of Action as though fully set forth herein.

23          29.    Since at least 2010 through the present time, the Property has been owned,  
24 operated, occupied, used, and/or directly or indirectly permitted to be occupied and used, in  
25 such a manner as to constitute a public nuisance in violation of Civil Code sections 3479 and  
26 3480. The public nuisance, as described herein, is injurious to health, indecent or offensive to  
27 the senses, and/or an obstruction to the free use of property, so as to substantially and  
28 unreasonably interfere with the comfortable enjoyment of life or property by those persons

1 living in the surrounding community. The public nuisance at and around the Property consists  
2 of, but is not limited to: illegal narcotics sales, storage, and/or distribution; the presence of  
3 illegal firearms; murder; shootings; and the threatening and disorderly presence of gang  
4 members.

5 30. Defendants, and DOES 1 through 50, in owning, conducting, maintaining, and/or  
6 permitting the use of the Property, directly or indirectly, as a public nuisance, have engaged in  
7 wrongful conduct and caused a serious threat to the general health, safety and welfare of the  
8 persons in the area surrounding the Property.

9 31. Unless Defendants, and DOES 1 through 50, are restrained and enjoined by  
10 order of this Court, they will continue to use, occupy and maintain, and to aid, abet or permit,  
11 directly or indirectly, the use, occupation, and maintenance of the Property, together with the  
12 fixtures and appurtenances located therein, for the purpose complained of herein, to the great  
13 and irreparable damage of Plaintiff and in violation of California law.

14 **VIII. THIRD CAUSE OF ACTION FOR UNFAIR COMPETITION**

15 **[Business and Professions Code Section 17200, *et seq.* --**

16 **Against All Defendants and DOES 1 through 50]**

17 32. Plaintiff hereby incorporates by reference paragraphs 1 through 31 of this  
18 Complaint and makes them part of this Third Cause of Action, as if fully set forth herein.

19 33. Ownership and rental of residential housing, such as the Property, is a business.  
20 When the owner of such a business violates the NAL and/or PNL such that a nuisance exists  
21 and flourishes at the business' premises, as set forth herein, it is also a violation of the UCL.

22 34. Defendants and DOES 1-50 have violated the UCL by engaging in the following  
23 unlawful or unfair business acts and practices: conducting, maintaining and/or permitting,  
24 directly or indirectly, narcotics activity at the Property amounting to violations of the NAL as  
25 alleged herein; and/or conducting, maintaining and/or permitting, directly or indirectly, narcotics  
26 and other gang-related criminal and/or nuisance activity at the Property, as alleged herein, in  
27 violation of the PNL.

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35. Plaintiff has no adequate remedy at law, and unless Defendants and DOES 1-50 are restrained by this Court they will continue to commit unlawful business practices or acts, thereby causing irreparable injury and harm to the public's welfare.

**PRAYER**

**WHEREFORE, PLAINTIFF PRAYS THAT THIS COURT ORDER, ADJUDGE AND DECREE AS FOLLOWS:**

**AS TO THE FIRST CAUSE OF ACTION**

1. That Defendants, DOES 1 through 50, and the Property, be declared in violation of California Health and Safety Code section 11570, *et seq.*

2. That the Court order Defendants, as owners of the Property, to reside in the Property until the nuisance is abated, in accordance with California Health and Safety Code section 11573.5.

3. That the Property, together with the fixtures and moveable property therein and thereon, be found to constitute a public nuisance and be permanently abated as such in accordance with Section 11581 of the California Health and Safety Code.

4. That the Court grant a preliminary injunction, permanent injunction and order of abatement in accordance with Section 11570, *et seq.* of the California Health and Safety Code, enjoining and restraining each Defendant and their agents, officers, employees and anyone acting on their behalf, from unlawfully selling, serving, storing, keeping, manufacturing, or giving away controlled substances on the Property.

5. That the Court order physical and managerial improvements to the Property in accordance with California Health and Safety Code section 11573.5, and such orders as are otherwise appropriate, to remedy the nuisance on the Property and enhance the abatement process, including but not limited to, the following: an internet-connected video monitoring system accessible by LAPD; improved lighting; sufficiently secure gating and fencing; improved screening of tenants; armed, licensed security guards; and the prohibition of known gang members from accessing the Property.

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1       6. That as part of the Judgment, an Order of Abatement be issued, and that the  
2 Property be closed for a period of one year, not to be used for any purpose, and be under the  
3 control and custody of this Court for said period of time, or, in the alternative, if the Court  
4 deems such closure to be unduly harmful to the community, that Defendants, and DOES 1  
5 through 50, pay an amount equal to the fair market rental value of the Property for one year to  
6 the City or County in whose jurisdiction the nuisance is located in accordance with Health and  
7 Safety Code section 11581 subdivision (c)(1).

8       7. That each of the Defendants be assessed a civil penalty in an amount not to  
9 exceed twenty-five thousand dollars (\$25,000.00).

10       8. That all fixtures and moveable property used in conducting, maintaining, aiding or  
11 abetting the nuisance at the Property be removed by the LAPD and sold in the manner  
12 provided for the sale of chattels under execution. Said fixtures and property shall be  
13 inventoried and a list prepared and filed with this Court.

14       9. That there shall be excepted from said sale, such property to which title is  
15 established in some third party not a defendant, nor agent, officer, employee or servant of any  
16 defendant in this proceeding.

17       10. That the proceeds from said sale be deposited with this Court for payment of the  
18 fees and costs of sale. Such costs may occur in closing said Property and keeping it closed,  
19 removal of said property, and Plaintiff's costs in the Action, including attorneys' fees, and such  
20 other costs as the Court shall deem proper.

21       11. That if the proceeds of the sale do not fully discharge all such costs, fees and  
22 allowances, the Property shall also be sold under execution issued upon the order of the Court  
23 or judge and the proceeds of such sale shall be applied in a like manner. That any excess  
24 monies remaining after payment of approved costs shall be delivered to the owner of said  
25 Property. Ownership shall be established to the satisfaction of this Court.

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1           12. That Defendants, DOES 1 through 50, and any agents, trustees, officers,  
2 employees and anyone acting on their behalf, and their heirs and assignees, be perpetually  
3 enjoined from transferring, conveying, or encumbering any portion of the Property, for  
4 consideration or otherwise, without first obtaining the Court's prior approval.

5           13. That Defendants, and DOES 1 through 50, be ordered to immediately notify any  
6 transferees, purchasers, commercial lessees, or other successors in interest to the subject  
7 Property of the existence and application of any temporary restraining order, preliminary  
8 injunction, or permanent injunction to all prospective transferees, purchasers, commercial  
9 lessees, or other successors in interest, *before* entering into any agreement to sell, lease or  
10 transfer the Property, for consideration or otherwise, all or any portion of the Property that is  
11 the subject of this Action.

12           14. That Defendants, and DOES 1 through 50, be ordered to immediately give a  
13 complete, legible copy of any temporary restraining order and preliminary and permanent  
14 injunctions to all prospective transferees, purchasers, lessees, or other successors in interest  
15 to the Property.

16           15. That Defendants, and DOES 1 through 50, be ordered to immediately request  
17 and procure signatures from all prospective transferees, purchasers, lessees, or other  
18 successors in interest to the subject Property, which acknowledges his/her respective receipt  
19 of a complete, legible copy of any temporary restraining order, preliminary and permanent  
20 injunction, and deliver a copy of such acknowledgment to the Los Angeles City Attorney's  
21 Office, c/o Deputy City Attorney Nancy C. Hagan or her designee.

22           16. That Plaintiff recover the costs of this Action, including law enforcement  
23 investigative costs and any fees, including attorneys' fees, authorized by law, not to exceed  
24 \$1,000,000.00, from Defendants and DOES 1 through 50.

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AS TO THE SECOND CAUSE OF ACTION

1. That the Property, together with the fixtures and moveable property therein and thereon, be declared a public nuisance and be permanently abated as such in accordance with California Civil Code section 3491.

2. That each Defendant and their agents, officers, employees and anyone acting on their behalf, and their heirs and assignees, be preliminarily and perpetually enjoined from operating, conducting, using, occupying, or in any way permitting the use of the Property as a public nuisance. Such orders should include, but not be limited to physical and managerial improvements to the Property, and such other orders as are appropriate to remedy the nuisance on the Property and enhance the abatement process.

3. Such costs as may occur in abating said nuisance at the Property and such other costs as the Court shall deem just and proper.

4. That Plaintiff be granted such other and further relief as the Court deems just and proper, including closure and/or demolition of the Property.

AS TO THE THIRD CAUSE OF ACTION

1. That each Defendant be declared in violation of Business and Professions Code section 17200.

2. That each Defendant, as well as their agents, heirs, successors, and anyone acting on its behalf, be permanently enjoined from maintaining, operating, or permitting any unlawful or unfair business acts or practices in violation of Business and Professions Code section 17200.

3. That the Court grant a preliminary and/or permanent injunction prohibiting each Defendant, as well as their agents, heirs, successors, and anyone acting on their behalves, from engaging in the unlawful or unfair acts and/or practices described herein at the Property and in the City of Los Angeles. Such orders should include physical and managerial improvements to the Property.

4. That, pursuant to Business and Professions Code section 17206, each Defendant be assessed a civil penalty of \$2,500 for each and every act of unfair competition.

1           5.     That, pursuant to the Court's equitable power and Business and Professions  
2 Code section 17203, the Court make such orders or judgments, including appointment of a  
3 receiver, to eliminate the unlawful or unfair competition alleged herein.

4                               AS TO ALL CAUSES OF ACTION

5           1.     That Plaintiff recover the amount of the filing fees and the amount of the fee for  
6 the service of process or notices which would have been paid but for Government Code  
7 section 6103.5, designating it as such. The fees may, at the Court's discretion, include the  
8 amount of the fees for certifying and preparing transcripts.

9           2.     That Plaintiff be granted such other and further relief as the Court deems just and  
10 proper.

11 DATED: May 4, 2017

Respectfully submitted,

12 MICHAEL N. FEUER, City Attorney  
13 MARY CLARE MOLITOR, Chief, Crim. & Spec. Lit. Branch  
14 JONATHAN CRISTALL, Superv. Assist. City Attorney  
15 NANCY C. HAGAN, Deputy City Attorney

16 By:

  
NANCY C. HAGAN

17 Attorneys for Plaintiff, THE PEOPLE OF THE  
18 STATE OF CALIFORNIA  
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